



# ***Committee on Ordinances***

August 30, 2007 – 7:00 pm – **Agenda**  
City Council Chamber, Room 214, Municipal Building

## **View Minutes**

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1. PUBLIC HEARING on a Written Motion, Councillor Alves, on behalf of Mr. Bradford Constant, requesting that the ZONING on Assessor's Plot 132, Lots 510 and 912 (2992 Acushnet Avenue) be changed from RESIDENCE A to MIXED USE BUSINESS in their entirety. (Ref'd 7/19/07, duly advertised in The Standard-Times on August 16<sup>th</sup> and August 23<sup>rd</sup>)
- 1 a. Communication, David Kennedy, City Planner, to Councillor Gonsalves, stating the Planning Board held a Public Hearing on 8/8/07 to discuss a request for a zoning change on Plot 132, Lots 510 and 912. The Planning Board Chairman, George N. Smith, stepped down from the Chair to address the issue, and offered a motion to send an unfavorable recommendation to the Ordinance Committee, citing he felt this was a case of Spot zoning. The Motion passed and the Planning Board forwards an ***UNFAVORABLE RECOMMENDATION*** towards the proposed zoning change. (Ref'd 8/13/07)

***INVITEES: City Planner, David Kennedy; Atty. David J. Gerwatowski; City Solicitor, Atty. Irene B. Schall***

2. Written Motion, Councillor Gonsalves, proposing that an Amendment be made to Section 2-157 of the City Code relative to DEMOLITION OF BUILDINGS. (Ref'd 5/26/05, refer to Legal Counsel to draft an Ordinance amending Sec. 2-157, Demolition of Buildings 8/24/05, remain in committee 10/11/06)

***INVITEES: City Planner, David Kennedy; New Bedford Historical Commission, Chairperson, Joan M. Beaubian; Preservation Planner, Anne Louro; WHALE, President, Peter Hawes***

3. Related Motion, Councillor Morad, that the Ordinance Committee explores the current process of granting livery licenses and renewals here in the City. (Ref'd 2/23/06, tabled 5/18/06, remain in committee 10/11/06, not heard remain in committee 11/28/06, tabled to next meeting 4/18/07 – invite Police Chief & City Clerk, 5/16/07 letters to City Clerk, and Police Department to report back within 60 days)
- 3a. Communication, Rita Arruda, City Clerk to Councillor Gonsalves, Chairperson, Committee on Ordinances, responding to a request from the Committee to research other Cities and Towns, in regard to granting Livery licenses. (Ref'd 8/1/07)

***INVITEES: Police Chief Ronald Teachman; City Clerk Rita Arruda***

4. Written Motion, Councillor Morad, requesting, that the Committee on Ordinances explore changes in zoning code to alter the 18 foot height limitation in the City Code, Sections 9-1200 and 9-2333, as it applies to flagpoles, with the intention of increasing the current height limitation; and further, once the Committee completes a draft of a proposed Ordinance containing the appropriate alterations, that the proposed Ordinance be submitted to the City Council to be process in compliance with Chapter 40A, Section 5 of the General Laws. (Ref'd 4/12/07)

***INVITEES: Atty. David J. Gerwatowski; City Solicitor Irene B. Schall; Veterans Agent Dan LeBlanc; Poyant Signs President, Richard Poyant; VFW Commander Roland Gendron; DPF Superintendent of Parks & Public Places Kenneth Blanchard; DIS Commissioner Ronald Durgin***

5. Written Motion, Councillor Gonsalves, requesting, that the Ordinance Committee, draft an Ordinance, to ban the sale of blunt wrappers in the City of New Bedford, pursuant to the request of Captain Joseph Cordeiro, of the New Bedford Police Department. (Ref'd 4/12/07, tabled 7/25/07)

***INVITEES: Police Chief Ron Teachman; Police Captain Joseph Cordeiro***

6. Written Motion, Councillor Lawrence, requesting that the Committee on Ordinances review the State guidelines allowing the Airport Commissions existence to explore the possibility of granting the Airport Commission complete autonomy as related to enforcing its regulations and requirements. (Ref'd 4/17/07)
7. Written Motion, Councillor Coelho, requesting that the City Council look into establishing An ORDINANCE, prohibiting the violation of a neighborhood protection Order in the City of New Bedford, in the interest of Public Safety, that the State and City courts, may by court order, may place a condition on an individual who is under court supervision as a result of illegal drug activities, whereby such person is prohibited from being in or traveling through a specified area related to the alleged illegal drug activity, modeled after ordinance #65800, City of Saint Louis, Missouri. (Ref' 4/26/07)
- 7a. DRAFT ORDINANCE, submitted by Councillor Coelho, relative to Ordinance #65 800, in the City of Saint Louis, Missouri. (Ref'd 4/26/07)

***INVITEES: Atty. David J. Gerwatowski; City Solicitor Irene B. Schall***

8. Communication, City Solicitor Schall, to City Council, submitting AN ORDINANCE, Amending Chapter 19, Section 19-7 of the City Code by inserting the position of "Procurement and Appliance Attorney", Grade M1. (Ref'd 5/10/07)
- 8a. An Ordinance, (Ref'd 5/10/07)

***INVITEES: Atty. David J. Gerwatowski; City Solicitor Irene B. Schall***

9. Communication, Mayor Lang, to City Council, Submitting AN ORDINANCE, Amending Chapter 19, Section 19-7 to amend Unit C pay schedule by upgrading the salary of the Airport Manager from M-9 to M-13 and upgrading the salary of the Airport Assistant Manager from M-7 to M-9. (Ref'd 5/24/07)
- 9a. An Ordinance, (Ref'd 5/24/07)

***INVITEES: Atty. David J. Gerwatowski; City Solicitor Irene B. Schall***

10. Communication, City Solicitor, Irene B. Schall to Councillor Gonsalves, Chairperson, Committee on Ordinances, submitting her opinion to the Committees request, pertaining to charging individuals for zoning fees. (Ref'd 7/5/07)
11. Written Motion, City Council President Pimental, asking that the Chairperson place on the Agenda for the next meeting of the Committee on Ordinances, that the Ordinance Committee discuss and/or implement procedures, to include a Public hearing, and set fee(s) for processing, advertising and postage, for Special Permits for Auto Sales, which are now under the jurisdiction of the City Council. (Ref'd 7/19/07)

***INVITEES: Licensing Board Clerk, Nicholas Nanopoulos; DIS Commissioner Ronald Durgin; Deputy DIS Commissioner Danny Romanowicz; Atty. David J. Gerwatowski***